

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Roslyn Holman,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action No. 4:05-2727
	)	
Clemson University,	)	
	)	
Defendant.	)	
	)	

**ORDER**

Plaintiff Roslyn Holman (“Holman”) filed the instant *pro se* action on September 20, 2005, against Defendant Clemson University (“Clemson”). (Doc. #1). On November 14, 2006, Clemson filed the pending motion for summary judgment. (Doc. #55). Holman filed a response and cross motion for summary judgment on December 8, 2006. (Doc. #58). Clemson filed a reply to its motion for summary judgment and a separate response to Holman’s cross motion for summary judgment on December 18, 2006. (Docs. #59, 61).

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed on August 1, 2007, by United States Magistrate Judge Thomas E. Rogers, III, to whom this case had previously been assigned. (Doc. #86). In the Report, Magistrate Judge Rogers recommends that Clemson’s motion for summary judgment be granted and Holman’s motion for summary judgment be denied. Id. Holman filed objections to the Report on August 10, 2007. (Doc. #91).

In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections...The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the Report and Recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted). In light of this standard, the Court has reviewed the Report. After careful review of the Report, the objections thereto, and the memoranda filed in this case, the Court elects to accept the Report. (Doc. #86). Therefore, for the reasons articulated by the Magistrate Judge, it is **ORDERED** that Clemson's motion for summary judgment is **GRANTED** and Holman's motion for summary judgment is **DENIED**. Accordingly, this action is dismissed and all pending motions are hereby rendered moot.

**IT IS SO ORDERED.**

S/ Terry L. Wooten

Terry L. Wooten  
United States District Judge

August 23, 2007  
Florence, South Carolina